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Department of Energy

Rocky Flats Office

DUE
DATE 10-15-91

memorandum

ACTION *Kersh*

DISTR. LTR NO.

BENJAMIN, A.
BREYER, J.G.
BURLINGAME, A.H.
COPE, R.D.
CROUCHER, D.W.
DAVIS, J.G.
EVERED, J.E.
FERRERA, D.W.
FERRIS, L.B.
FRANKS, E.J.
FRANCIS, G.E.
GOODWIN, R.
HANNI, S.J.
HALL, Y.J.
HENDER, E.H.
JENS, J.P.
KERSH, J.M.
KIRBY, W.A.
KRIEG, D.
KUESTER, A.W.
LEE, E.M.
MAESTRI, J.R.
MARK, G.E.
MATTHEWS, Y.A.
MEURINK, S.A.
MORGAN, R.V.
PIZZUTO, V.M.
POTTER, G.I.
SAFFILL, B.P.
SANDLIN, N.B.
SWANSON, E.R.
WEBB, J.K.
WILKINSON, R.B.
WILSON, J.M.
YOUNG, E.R.
ZANE, J.D.

SEP 20 1991

ERD:BT:7753

Compliance with Statutes and Implementing Regulations

J. M. Kersh, Associate General Manager
Environmental Restoration and Waste Management
EG&G Rocky Flats, Inc.

This purpose of this memorandum is to notify you that DOE RFO expects all activities conducted at the RFP to be in compliance with the following statutes and their implementing regulations:

- 1) Endangered Species Act,
- 2) Migratory Bird Treaty Act,
- 3) Fish and Wildlife Coordination Act, and
- 4) Bald and Golden Eagle Protection Act.

Note that copies of the above statutes and regulations are attached. All the above statutes and regulations are included in the attachments with the exception of the Endangered Species Act. A copy of the Endangered Species Act along with its implementing regulations can be obtained from Oak Ridge National Laboratory (ORNL) by calling Julia M. Stockstill at FTS 624-7317.

and RFO

We request that appropriate personnel at EG&G Rocky Flats, Inc. be given copies of the attached statutes and regulations along with a copy ORNL's Environmental Guidance Program Reference Book on the Endangered Species Act. EG&G Rocky Flats, Inc. will be held responsible for advising DOE RFO regarding compliance with these biology-oriented statutes. Thus, you should become familiar with both the statutes and their implementing regulations. In addition, you should become knowledgeable with how the U. S. Fish and Wildlife Service and the Colorado Department of Natural Resources (Division of Wildlife) enforces the statutes and regulations.

Reviewed for Addressee
Comes, Control RFP7-23-91 *Cin*

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You should also verify whether there are additional biology-oriented statutes beyond those listed above that are important to operations at the RFP. Finally, you need to verify that the implementing regulations for the above statutes included in the attachments are complete. If not, you are responsible for obtaining those portions that are missing and forwarding a copy to DOE RFO.

use to this memorandum, we request that you provide DOE RFO with a written assurance for complying with these statutes and regulations. This procedure should include as part of the document or as an attachment a listing of EG&G Rocky Flats, inc. organizations and individuals responsible for compliance. Your written response should be forwarded to DOE, RFO by October 15, 1991.

Should you have any questions, contact Bruce Thatcher of my staff at extension 3532.



David P. Simonson
Assistant Manager
for Environmental Management

Attachment

cc w/o attch:

F. Lockhart, ERD, RFO
R. Schassburger, ERD, RFO
G. Fess, OCC. RFO
B. Thatcher, ERD, RFO